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SHOOK & WALLER  
 CONSTRUCTION, INC.

Plaintiffs,

v.

NATIONAL UNION FIRE  
 INSURANCE COMPANY OF  
 PITTSBURGH, PA, *et al.*

Defendants.

) Case No. 12-cv-06148-RS

) Hon. Richard Seeborg

) **STIPULATION AND PROPOSED ORDER**  
 ) **TO CONTINUE DEFENDANTS NATIONAL**  
 ) **UNION FIRE INSURANCE COMPANY OF**  
 ) **PITTSBURGH, PA. AND CHARTIS INC.'S**  
 ) **MOTION TO STAY PROCEEDINGS**  
 ) **AND/OR DISMISS COMPLAINT AND THE**  
 ) **CORRESPONDING BRIEFING DEADLINES**  
 ) **TO PERMIT FURTHER SETTLEMENT**  
 ) **DISCUSSIONS**

**IT IS STIPULATED BY AND BETWEEN THE PARTIES THAT:**

1. WHEREAS, Defendants National Union Fire Insurance Company of Pittsburgh, Pa. ("National Union") and Chartis Inc. (the "AIG Defendants") have filed a motion for an order to stay and/or dismiss the complaint (the "Complaint") which is set for hearing on March 21, 2013;

2. WHEREAS, the Plaintiff and AIG Defendants are currently engaged in settlement discussions, which potentially could result in the resolution of this action;

3. WHEREAS, there is also a pending motion to remand the action set for hearing on March 21, 2013;

4. WHEREAS, the Plaintiff and AIG Defendants have agreed to continue the March 21, 2013 hearing thirty days, as well as the related opposition and filing deadlines;

**IT IS HEREBY STIPULATED AND AGREED** by these Parties that they jointly request the Court continue the hearing and filing deadlines as follows, or to the next most convenient date for the court:

Hearing Date Continued to: April 25, 2013 at 1:30 p.m. in Courtroom 3

Opposition Deadline: 21 Days before Hearing Date (April 4, 2013)

Reply Deadline: 14 Days before Hearing Date (April 11, 2013)

Dated: February 13, 2013

SIDLEY AUSTIN LLP

By: /s/ Nicholas P. Crowell  
Nicholas P. Crowell

Attorneys for Defendants National Union Fire Ins.  
Co. of Pittsburgh, Pa. and Chartis Inc.

1 Dated: February 13, 2013

ROXBOROUGH, POMERANCE, NYE & ADREANI  
LLP

2  
3 By: /s/ John W. Hurney  
John W. Hurney


4  
5 Attorneys for Plaintiff Shook & Waller  
Construction, Inc.

6 **IT IS SO ORDERED:**

7 The hearing on the motion of Defendants National Union Fire Insurance Company of  
8 Pittsburgh, Pa. ("National Union") and Chartis Inc. (the "AIG Defendants") for an order to stay  
9 and/or dismiss the complaint, which is set for hearing on March 21, 2003, is continued by  
10 stipulation of the parties to April 25, 2013 [~~or~~ \_\_\_\_\_, 2013] at 1:30 p.m. in  
11 Courtroom 3 on the 17th Floor of the United States Courthouse, 450 Golden Gate Avenue, San  
12 Francisco.

13 The corresponding deadlines for the opposition and reply are continued and linked to the  
14 new hearing date, such that the opposition to the motion is due twenty-one (21) days before the  
15 hearing date and the reply brief is due fourteen (14) days before the hearing date.

16  
17 Dated: 2/15/13

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19 THE HON. RICHARD SEEBORG  
20 UNITED STATES DISTRICT JUDGE  
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